

REMARKS

Claims 1, 3-11, and 13-38 are currently pending. Claims 1 and 10 have been amended. Claim 38 is new. Support for the new claim and claim amendments can be found throughout the specification and claims as originally filed. No new matter has been added.

The claim amendments made herein should not be construed to be an acquiescence to any of the claim rejections. Rather, these actions are being made solely to expedite the prosecution of the above-identified application. The Applicants expressly reserve the right to further prosecute the same or similar claims in subsequent patent applications claiming the benefit of priority to the instant application. 35 USC § 120.

CLAIM OBJECTIONS

Claim 10 has been objected to because the structure of the compound listed last in the group of compounds does not have a net neutral charge. The Applicants have amended claim 10 such that the last compound listed is presented in the uncharged form. Support for this amendment can be found in the specification and claims as originally filed. Accordingly, the Applicant respectfully requests withdrawal of the objection to claim 10.

CLAIM REJECTIONS BASED ON 35 USC § 102(b)

Claims 1, 6, 8 and 9 stand rejected under 35 USC § 102(b) as being anticipated by Jaworek *et al.* (*Carbohydrate Res.* **2001**, 331, 375-391). Specifically, the Examiner asserts that Jaworek on page 380 teaches a compound (compound **30b**) that falls within the scope of formula I, wherein n is 1, R is -CH₂-aryl (benzyl), R¹ and R² is H, R³ is N₃ and R⁴ is -CH₂-aryl (benzyl).

To anticipate a claim under §102(b), a reference must teach each and every element of the claim, either expressly or inherently. M.P.E.P. § 2131. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union oil Co. of California*, 8144. F. 2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "[t]he identical invention must be shown in as complete detail as contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1566 (Fed. Cir. 1990).

Solely to expedite the prosecution, the Applicants have amended claim 1 to limit formula I to compounds wherein n is 3 or 4. As the compound of Jaworek does not fall within the scope of the amended claims, the cited art is not anticipatory. Therefore, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1, 6, 8, and 9 under 35 USC § 102(b) based on Jaworek.

Allowable Subject Matter

The Applicants gratefully acknowledge the Examiner's indication of allowable subject matter. Based on the claim amendments and new claims presented herein, the Applicants respectfully contend all of the pending claims are in condition for allowance.

FEES

The Applicants believe they have provided for the required fees in connection with the filing of this paper. Nevertheless, the Director is hereby authorized to charge any additional required fee to our Deposit Account, **06-1448**, Reference **MTV-055.01**.

CONCLUSION

In view of the above remarks, it is believed that the pending claims are in condition for allowance. The Applicants respectfully request reconsideration and withdrawal of the pending rejections. The Applicants thank the Examiner for careful consideration of the present case. If a telephone conversation with the Applicants' Agent would expedite prosecution of the above-identified application, the Examiner is urged to contact the undersigned.

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Respectfully submitted,

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